

NATURAL RESOURCES BOARD
MINUTES

The regular meeting of the Natural Resources Board was held on Tuesday and Wednesday, June 25-26, 2002, at The Radisson Inn Harborwalk, Harborview Room, 223 Gaslight Circle, Racine, Wisconsin. The meeting was called to order June 25, 2002 at 1:15 p.m. for action on Items 1, 2, and 3.A. The meeting was recessed at 6:37 p.m. and reconvened Wednesday, June 26, 2002 at 1:00 p.m.

PRESENT: Trygve A. Solberg, Chair
James E. Tiefenthaler, Vice Chair
Gerald W. O'Brien, Secretary
Herbert F. Behnke
Howard D. Poulson, via conference call June 25, 2002
Catherine Stepp
Stephen D. Willett (June 25, 2002 arrived 3:10 p.m.)

ABSENT: Howard D. Poulson, June 26, 2002

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Tuesday, June 25, 2002

ORDER OF BUSINESS

Chairman Solberg announced that Board Member Poulson had requested to participate in the June 25, 2002 Natural Resources Board Meeting from Alaska via conference call.

1. Minutes to be approved.
- 1.A. Full Board Minutes of May 22, 2002.

Mr. Tiefenthaler MOVED, seconded by Mr. O'Brien, approval of the Full Board Minutes of May 22, 2002, as presented. The motion was carried unanimously by those members present. (Mr. Willett was absent.)

- 1.B. Agenda for June 25-26, 2002.

Secretary Bazzell asked that the following changes be made: Under Committee of the Whole, Item 3.A. Adoption of Emergency Order WM-32-02(E) - revision of Chapter NR 10, Wis. Adm. Code, pertaining to chronic wasting disease control efforts, changed to include Chapter numbers to NR 10, NR 12, NR 19, and NR 45, the addition of Item 3.G.5. Retirement Resolution for Cynthia Fauerbach., and Item 3.G.6. Retirement Resolution for Roy Kalmerton. Under the Land Committee addition of Item 6.B.13. Authorization for hearing on creation of Chapter NR 328, Subchapter I, Wis. Adm. Code, pertaining to standards for shore erosion control in lakes and impoundments.

With those changes, Mr. Behnke MOVED, seconded by Ms. Stepp, approval of the agenda for June 26, 2002, as amended. The motion was carried unanimously by those members present. (Mr. Willett was absent.)

2. Ratification of acts of the Department Secretary.
- 2.A. Real estate transactions.

Mr. Tiefenthaler MOVED, seconded by Mr. O'Brien, approval of the real estate transactions, as printed. The motion was carried unanimously by those members present. (Mr. Willett was absent.)

3. Committee of the Whole.
- 3.A. Adoption of Emergency Order WM-32-02(E) - revision of Chapters NR 10, NR 12, NR 19, and NR 45, Wis. Adm. Code, pertaining to chronic wasting disease control efforts.

Tom Hauge, Director of Wildlife Management, with a PowerPoint presentation addressed the management plan for chronic wasting disease. He reflected on the current status of chronic wasting disease in Wisconsin, reviewed the rule order, and spoke on the ban of baiting and feeding of deer, the health implications, harvest, and herd impacts. He presented the following:

- NATIONAL MANAGEMENT PLAN - Mr. Hauge presented a map show the area of the Landowner Permit Program.
- LANDOWNERS PERMIT PROGRAM
- CWD TESTING
- FALL TESTING PLANS
- CWD FUNDING AND EXPENSES
- CARCASS DISPOSAL
- COMMUNICATIONS

Ms. Stepp asked for a clarification on the rules on the feeding of wildlife expiring in 2004 instead of 2003. **Chairman Solberg** responded it was the Legislature dates.

Bill Vander Zowen, Wildlife and Landscape Ecology Chief, with a PowerPoint presentation reviewed the chronic wasting disease rule order. In trying to put this rule order together they were looking at an aggressive approach. Mr. VanderZowen presented a map of the eradication hunting zone pointing out specific areas. He presented the following:

- CWD RULE ORDER
- EMERGENCY RULE GOALS
- EMERGENCY RULE OBJECTIVES
- DEVELOPMENT OF THE PLAN AND RULE
- PUBLIC INVOLVEMENT

Mr. Tiefenthaler asked if they were going to reserve the right to use bait in the eradication red zone. **Mr. VanderZowen** responded, I am going to pass that question to the folks that follow me. He continued on with the presentation and addressed the following:

- ERADICATION ZONE EXTRA TOOLS
- GUN SEASON
- ARCHERY SEASON
- STATE PARK AND WATERFOWL REFUGE GUN HUNTING
- PERMIT SYSTEM: EARN-A-BUCK
- REGISTRATION
- LANDOWNER PERMITS
- FIREARM RESTRICTIONS
- SICK DEER REPLACEMENT TAGS
- BAITING AND FEEDING BAN
- PUBLIC SUPPORT FOR PLAN OBJECTIVES
- PUBLIC SUPPORT FOR BAITING AND FEEDING BAN

Ms. Stepp asked who was actually doing the sampling at the registration areas. **Dr. Julie Langenberg**, Wildlife Health Specialist Veterinarian, responded stating that the samples are basically in the process of defining the surveillance program for the fall. We are predicting a need to collect 40-50,000 samples. The answer, of course is not that wildlife health staff will be doing this. Certainly we expect that we will have a lot of involvement from DNR staff to act as key well trained supervisors at the sites but we are sure that we will be looking at involving volunteers, student population, other kinds of volunteers such as hunters and others who are interested. We are also exploring the need for contracting to some of the people that have approached us who are interested in being involved with helping with this process of getting this many deer samples tested.

Chairman Solberg asked if there was a change in the date on bear baiting and if so, why. **Mr. VanderZowen** responded, the proposed rule suggests that bear baiting would be allowed starting June 1. This is a month before the dog training season, to the end of the bear harvest season, to try and reduce the risk that might be out there with any kind of food that might be placed in the woods. We are requiring that it be capped, be in a hollow log, or be in a whole in the ground. We have heard significant interest from bear hunters to try and move that date earlier. **Chairman Solberg** asked how many bear baits would be out in the State of Wisconsin the first of May. **Mr. VanderZowen** stated he don't know. **Mr. Behnke** asked if this is a part of the proposed order. **Mr. VanderZowen** responded, yes, the June 1 starting date for baiting for bear is part of this rule order. It is to try and allow baiting for bear in a way that it is inaccessible to deer and helps prevent the risk for disease but not beyond what seems to be a reasonable period of time to allow for both dog training and hunting the bear. **Mr. Behnke** asked for a clarification, if the rule would allow bear baiting in such a way that deer could not get at it, why is it important that it be delayed to June 1 if those precautions were taken? **Mr. VanderZowen** responded, it is all a matter of relative risk, the longer you have bait in the woods the more chance that the deer will have it and they will concentrate at the site perhaps after a bear moves a log. Just trying to reduce risk as much as possible while still allowing activities out there that are not as high risk for disease transfer. **Ms. Stepp** asked if the usual time is May 1. **Mr. VanderZowen** responded, that right now there is no season for putting out food for bear. **Chairman Solberg** stated that typically when a bear comes out of hibernation, they probably start sometime around May 1. **Mr. VanderZowen** commented that some bear hunters have mentioned they sometimes start in April.

Mr. Tiefenthaler asked how far away the nearest legal bear area to hunt from the intensive eradication zone was and how many miles from the Mt. Horeb area. **Mr. Mytton**, Deer and Bear Biologist, responded that the northern parts of 54B, 35 to 40 some miles north of the center. **Mr. VanderZowen** added it is right on the edge of the CWD management area. **Mr. Tiefenthaler** commented, so you can shoot bear near the edge of the buffer zone. **Mr. Mytton** responded, actually, you can legally shoot a bear in Iowa County.

Ms. Stepp asked what was being done on public information, informing the public, and what are we doing in this area. She also asked if we were gearing the brochure to non-hunting public also. She stated that she wanted to make sure that we are getting as much information as we can out to everyone, not just sportsmen. She asked what the plan was. **Mr. VanderZowen** responded, we have been using the Internet from the beginning. That is the key way to get to the general public. Some of the public meetings have not been limited to just hunters. As you can tell, there are so many people involved in this, it is so complex, but Laural Steffes, Director of Public Affairs, and Bob Manwell, Land Public Affairs Manager, have been working on an effort to get this information out. **Ms. Steffes** referred to a brochure that is being utilized. She asked if they would find ways to distribute it such as through Wildbirds Unlimited, Gander Mountain, and places such as that geared to non-sportsman areas. **Mr. VanderZowen** responded, yes.

Dr. Langenberg, presented additional scientific information, which the Board had requested. To add to the Interagency CWD Health and Science Team recommendation that they should consider Wisconsin deer population as a single population at risk in terms of disease and that the prohibition of baiting and feeding is very important in CWD and other disease management in the state. With a PowerPoint presentation Dr. Langenberg reviewed the following:

- WHO THE INTER-AGENCY CWD HEALTH AND SCIENCE TEAM ARE
- WISCONSIN'S WILD DEER ARE A SINGLE POPULATION WHEN IT COMES TO DISEASE RISK. WHAT FACTORS THAT CONTRIBUTE TO THIS ARE - Dr. Langenberg presented a map of the State of Wisconsin showing where the disease has been identified.

- **RISK FACTORS FOR DISEASE INTRODUCTION**

Dr. Langenberg showed a map demonstrating the areas in Wisconsin where the 175 deer and elk farms are located. If Wisconsin cannot fully prevent the introduction of disease, then Wisconsin should do everything possible to prevent the transmission and establishment of disease. Baiting and feeding concentrates deer and facilitates disease transmission. Wisconsin should prohibit baiting and feeding of deer statewide. She showed a picture of 35 deer, multiple family groups, that have been documented visiting a two gallon feed site in Wisconsin. She pointed out areas where there had been 24 escapes that have been documented in the last 2.5 years. With escaped whitetail deer if they are not deer tagged or in some other way visually obvious to them in the landscape, there are animals that are out there escaping from these farms that they don't know of. There is a possibility of farm animals and wild animals interacting. In the last month they have had reports of several wild whitetail deer on elk farms, of course, the opposite happens also.

She continued with her powerpoint presentation addressing:

- **THE POTENTIAL CUMULATIVE IMPACT OF BAITING AND FEEDING**-scientists have concluded that high deer densities and concentration of deer caused by baiting and feeding are the factors responsible for establishment of TB in Michigan deer (Schmitt 1977)

Given the fact that they have these risk factors for continuing the possibility of introduction of disease, whether it is movement of CWD from their known affected area, whether it is the introduction of TB, they are not going to instantly solve those challenges of being able to control that introduction. The scientific community feels it is critical that they do control those things that will prevent the transmission of the disease and the establishment of that disease. Baiting and feeding is one of the things that they need to consider to reduce the possibility that if a disease gets into a part of the state that disease is transmitted and persists in the wild deer. The science that they have considered in making that conclusion that they need to consider baiting and feeding as part of our management of chronic wasting disease and preventative program for other disease coming to their deer, starts with the observation that feeding and baiting does concentrate deer. Dr. Langenberg showed slides of animals from Michigan at a feed sight of deer using a harvested crop field. One piece of information that has been observed in Wisconsin is that at a two gallon feed sight in northern Wisconsin 35 deer were observed at that site in a short period of time. So even after the feed is gone, other deer will come in and those deer can represent multiple family groups, thus the possibility of transmission from one family group to another.

Mr. Tiefenthaler asked if this scientific group was looking at some definitions here. He asked what definition they were using for feeding and what definition were they using for baiting. **Dr. Langenberg** responded, I can tell you that actually from the science team there was not a strong sense that we needed to differentiate. One of the reasons for that which is some of the work that is coming out of Michigan where they have been very intensively studying baiting sites and baiting and feeding practices. They have noted that even very small volumes of food you will get multiple animals coming in and having contact. The science team did not feel that separating off baiting because it often involves smaller volumes of food was important. We do feel that it is very important to consider one significant difference between baiting and feeding which is that feeding often occurs over a longer period of time at the same site so there is higher possibility of accumulation of feces, urine, saliva, and there is a persistence of food that might be handled by multiple animals if it were to be actually consumed. I think that supplemental feeding, recreational feeding when it is done repeatedly at one site, that there probably is higher risk of disease transmission than the short interval baiting practices that are most common in our state during the hunting season. **Mr. Tiefenthaler** asked if they were looking primarily at repeatable over time, and a criteria of the amount was not looked at. **Dr. Langenberg** responded, we talked about amount but because there is evidence that you are going to get significant contact between animals, even over five gallons of volumes of feed, we at that time, didn't feel that you could identify a small enough volume of food to decrease the disease transmission. **Mr. Tiefenthaler** asked if there was any science on that, the amount, or the manner in which it is spread. He also asked were those criteria used in defining the scientific groups in their discussion. **Dr. Langenberg** responded, the best science that they looked at is the reference in the appendix to the rule, is the Garner Ph.D. Study from Michigan where he looked at various volumes of food in a pile and looked at the number of contacts and the way that deer used those piles.

He found, in fact, that there were more nose to nose contacts over the five gallon piles than in the larger piles. He didn't look at anything less than five gallons. **Mr. Tiefenthaler** asked if he looked at it in a pile of a concentrated area. **Dr. Langenberg** responded, correct. He was looking at a relatively concentrated area. I don't know of any literature that has compared disease incidents. You would have to do it as an experiment and you would have to have penned animals where you would look at transmission of disease created concentrated piles versus spreading. With the concentration of deer that can occur at baiting and feeding sites, I feel that it is important to think about the potential accumulative impact of that. She showed a map indicated how many bait sites might occur in the northern forest part of Wisconsin based on the data collected on the number of bow hunters in the northern forest, 40 percent of them bait. The map represented the potential of 24,000 plus bait piles that could occur. The point of this is basically, though each of those bait piles you might think about being there a short period of time and not having significant impact, if you look at the potential cumulative impact that a lot of deer can be affected. The potential part of this congregation of deer that occurs over feeding and baiting is the potential of sharing of disease. With the kinds of diseases that we are talking about, chronic wasting disease primarily, there is good evidence that contact between animals and the sharing of body fluids that contain that infectious agent, such as urine, saliva, feces, are very important to the transmission of those diseases. Also, at feeding and baiting sites, there can be indirect contact with those same body fluids or with food that is contaminated by an animal that is already infected. **Mr. O'Brien** asked if we know that scientifically or is that what we think. **Dr. Langenberg** responded, that information on chronic wasting disease to support that animal to animal transmission is important comes from two sides. One is when you look at the pattern of the disease in infected deer, the earliest places that infected agent, the prion, are in the lymphoid tissue associated with the gut and in the throat. That is also a pattern that is typical of diseases where there is oral intake of infected material. The other information to suggest animal to animal contact is the pattern of disease that occurs in captive and research stations where you see infection of animals at high rates when you have a concentrated number of animals. Now there is growing information to suggest that the environmental contamination with body fluids is a factor. Studies are going on right now where they are exposing deer to a contaminated environments, the carcasses, and monitoring the infection. **Ms. Stepp** asked if this was what makes her think it is not an airborne agent because of where it shows up in the tissue. **Dr. Langenberg** responded, absolutely. In fact it never affects the respiratory system. You never find a prion in that area. So, there is no suggestion in that there is never any airborne transmission.

Mr. Tiefenthaler stated that he was told by another veterinarian in another state that this is more for elk than deer but it also occurs in deer. That a super contaminated area and an area that concentrates animals behind a barrier is tremendously more conducive nose to nose rather than free range. He asked if Dr. Langenberg agreed with that. **Dr. Langenberg** responded, yes, I agree with that and I think that is why there is a record of a 50 percent infection rate in a fenced population of whitetail deer and that is the highest known infection rate for chronic wasting disease. However, there is a 15 to 20 percent infection rate documented in free ranging populations in mule deer in Colorado. In dense, suburban populations where feeding is occurring, yes there may be a difference in scale but I feel there is significant evidence to whatever is contributing to increasing density of animals and increasing that contact will increase the level of infection in the population. **Mr. Tiefenthaler** stated that we do suspect it, but we really don't have scientific proof. **Dr. Langenberg** responded, I don't know if you are ever going to getting better proof than the wild population than looking at those relative prevalence rates. The fact, in Colorado, they are seeing a difference in the prevalence rate in those sorts of suburban populations whereas in some of the other rural populations where they haven't documented as much contact over these piles. To me that is significant.

Dr. Langenberg continued with her presentation: A frequently asked question and one that is important to consider is the question of whether small volumes of food could be used for baiting and feeding whether there would be significant reduction in transmission. We have already spoke of the study with close observation does not support that at least of the five gallon level that you get a decrease of animal contact versus larger piles. This was the smallest volume that was looked at. Additional pieces of information worth considering in baiting, feeding, and disease, as many folks know, Michigan has dealt with the Bovine Tuberculosis problem in the northeast portion of their lower peninsula since the mid 1990s. They have concluded and published that they feel that high deer density and concentration of the deer in those areas caused by high activity of baiting and feeding were very important factors in the establishment of that disease. This is based on the fact that previously this was not a disease that was established in North American deer. They did a lot of research in looking into what factors in that part of their state would have contributed to the persistence of that disease with the view they had, which was probably introduced into the deer by cattle during the time that TB was common in cows. It is that question of yes, in all probability was introduced by contact with livestock but what caused

it to persist in that area where that similar introduction in other parts of North America has not caused persistence. They have concluded that baiting and feeding in that area was a major factor. Our Colorado colleagues have seen higher prevalence in mule deer in areas where there is illegal feeding going on. Baiting and feeding is not legal in Colorado so these observations are quite specific to the areas they have been monitoring.

Dr. Langenberg stated that it is because of the information that she just presented that the science team felt it was very important that the Board consider a statewide prohibition on baiting and feeding. She stated that she thought that scientists feel strongly that the current information available, and they all admit it is limited and it doesn't give all the answers they want. But based on the current information there is a strong argument for prohibiting something in an activity that they know can contribute to disease transmission with the possibility that, as they gain more information about chronic wasting disease about feeding and baiting over the next few years, that they can make a decision to reverse that. She stated they are better off taking the step now and doing what they can to manage this chronic wasting disease and prevent further spread and then later, if they identify that there are other disease transmission factors that make this concentration of deer not as critical that we could, at that point, reverse that step. Dr. Langenberg further stated that the support for prohibition of baiting and feeding as a component of deer disease management is from:

- Michigan's increasing restrictions on baiting/feeding (part of their TB management)
- CWD researchers conclude prohibiting baiting/feeding should be part of CWD control plans (Gross and Miller, in press)
- National USDA/DOI CWD Management Plan recommends restrictions on feeding/baiting to control CWD
- IAFWA position that feeding/baiting enhances transmission of CWD

Mr. Hauge followed up with copies of letters from the State of Michigan, State of Colorado, and from the Southeast Cooperative Wildlife Disease Study. Colorado has in fact ban baiting and feeding in their state. In the case of the Southeast Cooperative Wildlife Disease Study, which is a collaborative effort of 15 states in the southeastern part of the United States. Those folks indicate there is basically more than adequate reason to conclude that these practices, mainly baiting and feeding, do enhance the risk of transmission of chronic wasting disease. Continued use of baiting, in specific circumstances where, for example, it is very important to position an animal in an urban setting for the safety of the neighborhood, they would continue to use that tool. One of the questions the Board asked the DNR staff to look into at the last meeting was the impact of baiting and feeding in terms of what would happen to the deer herd. Mr. Hauge presented a graph showing the increasing trend in bow hunting and the stable trend in gun hunting.

Chairman Solberg asked if that increase in the trend with bow hunting show the same increase in trend with the killed numbers with bow. **Mr. Hauge** responded, the bow kill, which I don't have available to me, in most recent years bow hunters numbers have been in the 80,000 to 90,000 range. The increase in terms of harvest, once they have been up into that 80,000 to 90,000 range it jumped around but hasn't been doubling as you see in bait using. **Mr. Tiefenthaler** asked of those numbers, how many bow licenses are we selling now. **Mr. Hauge** answered, 260 to 270. **Mr. Tiefenthaler** then asked if he was saying that approximately 40 percent are using bait right now. **Mr. Hauge** responded, that is what the hunters are saying when they send their surveys back.

Mr. Hauge continued on with a chart indication the baiting and gun hunting success. No distinct advantage reported by gun hunters during the 1998-2001. The difference is not statistically significant. Earlier and longer baiting helps success. Surveys vary, but suggest baiting does increase bow hunter success rates and efficiency. 2001 Wisconsin bow hunter survey revealed that 24 percent antlerless success with bait and 14 percent antlerless success without bait.

Mr. Tiefenthaler asked that of the total gun deer harvest, how many are harvested in the first two days. **Mr. Hauge** responded, about 55 to 60 percent. Regarding baiting and herd control, Mr. Hauge gave an example of the northern forest deer management units of 208,000 gun hunters, baiting and herd control of bow and gun hunters harvests. He further presented a graph showing baiting and herd control with numbers of deer and numbers of deer permits from 1966 through 1998. The conclusion of this study, gun season responsible for 83

percent of antlerless harvest. If no compensation for archery decrease occurs, harvest could decrease by five percent. Five percent harvest decrease can be addressed through increased permits, bag limits, seasons, and other measures. If 30 percent of baiters stop hunting it results in five percent and 12 percent decrease in bow and gun hunters, respectively. The number of deer and deer permits more influential than hunter numbers. The conclusion, a ban would not result in loss of herd control.

Chairman Solberg asked when talking about the Northern Forest are you using 280,000 gun hunters and 61,800 bow hunters, and wanted to know if that is how many he expects to have out there this year or if that is how many they had last year. **Mr. Hauge** responded, it is based on the surveys that we are sending hunters and when they respond and tell us where they hunt. **Chairman Solberg** stated that there was also a survey done from St. Norbert's College that said that possibly 34 to 36 percent of hunters might not hunt and asked if that was factored in. **Mr. Hauge** answered, we will come to that shortly.

Mr. Hauge continued with over winter losses of deer. The Northern Forest deer herd is 40 percent above the established population goals in NR 10. Feeding impacts harder to keep herd at goals, produces more fawns, and has a long term impact on the vegetation. **Mr. Tiefenthaler** asked what a three percent decrease amount to in animals over how many deer management units. **Mr. Hauge** responded, 45 management units of the Northern Forest Region.

Mr. Hauge continued on with his presentation. The northern deer herd evolved over hundreds of years with winter weather; deer yards still exist and are used; deer leave feeding sites when thermal cover becomes more important; some deer die every winter; only 20 percent of winters are in the very severe category; and about 30 percent of the deer herd will die in very severe winters. He presented a map of the state showing the current deer population reducing potential for large over winter losses.

Mr. Tiefenthaler asked how many permits we have right now that go unsold in the last year or two in T-zones, other zones, or in bonus permits. I don't know how you are going to control that with additional permits. We have also talked about supply and demand. The supply being much greater than the demand and has been for the last five years. We need to harvest more deer, he asked if this was not true. **Mr. Hauge** responded, there have always been lots of T-zone units. There have been a lot of units that haven't been T-zone units as well and in those units hunters choice permits are always a limiting factor. Whether it be bag limits or things like zone T seasons can result in five, ten, 15 percent increases in harvest. There are other management tools is what we are basically saying to compensate for any loss should it occur from the baiting. I would say, yes, we do need to harvest more deer. From our repeat visits to the Board we have been saying this. **Mr. Tiefenthaler** stated that his point is, if we do take baiting away, it is going to discourage a certain amount of hunters. We are going to have less deer harvested. Whatever numbers or guesses that we have put together is one thing, but the bottom line is we need to harvest more deer and we need to make it as easy as we can and as attractive as we can to the hunting population. **Mr. Hauge** responded, yes, we want to have more deer harvested. As Dr. Langenberg indicated, part of this now, with chronic wasting disease in the State of Wisconsin, we have to ask ourselves at what cost. The risk, I think has been clearly demonstrated on the disease side. What we are saying basically, is that either through longer seasons, other mechanisms that we can try to attack the type of potential decreases that this analysis that suggests that we could possible experience.

Chairman Solberg asked what if we are wrong and these percentages are not working, what would happen then? It seems to me that the percentages are higher than what they are going to be, in my estimation. He asked what happens if there is a 10 or 15 percent difference. **Mr. Hauge** responded, we are always re-measuring every year, re-calibrating our models, and then figuring where we need to go next. If, for some reason, that situation changes and our numbers are we are having difficulty, then we will need to go to another plan. As it stands right now, the information tells us that it is a step that we can take and still keep the deer herd.

Mr. O'Brien commented, I have heard from a lot of people, as we all have, and a few brought up the theory that while we are feeding we spread the feed out and deer come in and feed. They don't congregate as much there as they would if you weren't feeding and they go into the areas in the cold winter where they are even closer together feeding. Mr. O'Brien asked Mr. Hauge his thought on that. **Mr. Hauge** responded, I think in the deer yard, folks might say is more a deer yard, can to the picture of the deer in the agriculture field although it is a forest setting. That the deer may be using the same trails to go but they will come out and they are

feeding off of the branches as opposed to a bait site. Even if it is spread out over the ground and the chance for grabbing a chunk of food that another deer grabs is a different situation and more reduced. I did want to point out that the question that you asked with regards to did the scientists study piles of bait or spread out. With the Gardner Study they did look at both the five-gallon bait sites that were in piles and spread out in a line. The conclusion that was reached in terms of increased interaction I think applied to both situations.

Chairman Solberg commented, if you go into a deer yard, and they are not that large, you see dead deer laying around with feces, and soon there isn't that much left for them to chew on and they probably have all licked on the same branch several times. **Mr. Hauge** responded, I don't think that we are trying to tell you that deer yards can't be a place for CWD transmitter. Deer are a social animal, the season of the year, during the rut that occurs. What we are doing is layering on top of that natural social tendency, a human induced reason for transmission to be spread, and that is the real story behind the baiting and feeding.

Mr. Tiefenthaler asked Mr. Hauge to define the difference between baiting and feeding. **Mr. Hauge** responded, that basically, the legal difference between them is whether one is occurring in a hunting season with someone trying to take an animal through the hunting season versus someone placing food out unconnected to hunting, that would be the feeding. People distinguish between recreational feeding, bird feeding, and supplemental feeding. Supplemental feeding is usually referred to in a sense of being placed out there to improve the condition of the deer herd often times to help them get through the winter.

Mr. Tiefenthaler asked what Mr. Hauge's thoughts on recreational feeding for wildlife viewing within 50 yards of an occupied dwelling as opposed to unregulated amounts of feeding in areas that are up to a private landowner would be. **Mr. Hauge** responded, whether it is 50 yards away or 250 yards away from a diseased risk perspective I don't think that there is any difference, which is why the rule doesn't specifically authorize the feeding of deer at that distance.

Chairman Solberg asked, if there was someone that feed deer heavily for the past 30 years and probably on a couple thousand acres held a thousand deer and the herd size has never changed and there has been no known disease. What kind of a study would that be? I know of a place in northern Wisconsin, I am not saying whether it is right or wrong, where someone has been heavily feeding and holding a lot of deer and there has been no known disease for well over 30 years. **Mr. Hauge** responded, I am not sure of what you mean by what kind of a study would that be. It is certainly documented that he has a healthy deer herd over the past 30 years. It is somewhat like the stock market, yesterdays performances do not guarantee future returns. I think there is a risk in everything. I think Wisconsin has been living on borrowed time, we have been very fortunate in terms of being disease free until February 28 when CWD was discovered. When the TB outbreak in Michigan was broadcast, we certainly became concerned. I think that we all realized that we are not bullet proof.

Chairman Solberg commented, I think at the last meeting it was stated that there were five full time wardens working on the CWD situation to see if they could find something. No one has shared any evidence with us one way or the other. If they thought someone introduced it in southern Wisconsin. That would sure help any decision here, I think. We aren't given any information. **Secretary Bazzell** responded, let me touch on that. I have been briefed and I know you have had some information provided to you in terms of ongoing investigations. Until we get to a point where we think we have a very good handle on what, in fact, did happen, not just a theory, I don't think it is prudent to share that information publicly. That is where we are at right now. We are at a point in time where we have inconclusive evidence as to what, in fact, did bring this disease to Wisconsin. Anything short of that, I don't think it is proper to make a public statement.

Ms. Stepp asked what the Department's plan for enforcement is, if this does go through and if we are sorely understaffed and what kind of complications would be present. **Mr. Hauge** responded, we are sorely understaffed from the wildlife program as well. There is no shortage of things to do and not enough people to get around to do it. The thing that saves us time and time again in the State of Wisconsin are all the people in this room. Each warden and each biologist's eyes are magnified and multiplied many times by a very concerned citizenry across the state that does their job of bringing the information to us so that we can be more effective. **Ms. Stepp** asked what would happen if there is a violation and what the penalty is. She also asked if this would stay the same if this particular plan goes through. **Attorney Michael Cane**, Legal Department, responded, the penalty provision of a baiting violation is a civil forfeiture, about \$200.00. This would stay the same if this plan goes through. **Mr. Tiefenthaler** asked what it would take to change it and if it is statutory.

Attorney Cane responded, yes this is statutory. It falls under the general civil category of violations and it is standard forfeiture. It would take a statute to change it.

Mr. Behnke stated that you can speculate all you want of how a disease will spread, whether it will spread by feeding or with two gallons or ten gallons. Whether it will spread in deer yards, if one is a more prevalent method of spreading disease than another. There is one basic fact that we need to recognize and understand, that is whenever we get a peak population of any kind, anywhere in any concentrated area, the chances of a disease outbreak and the spread of disease rapidly when we have that kind of a situation is great and it is really magnified. We have seen this in domestic livestock, we have seen this in the poultry industry. Anytime that we get a large concentration of disease, there is a very heavy dose of antibiotics that goes into that herd. When we have a wild herd, like we have the deer herd, and we have been very fortunate while we have been building up this herd through artificial energy being put out there for many, many years, this is how the deer herd got built up to start with. Now we have so many deer that we have been wrestling with for a number of years so how do we spread the disease better one way or another. The fact remains that we have a large concentration of deer in the wild and wherever they gather and whatever method they use, the chances of transmission is great. We have got to recognize that in our final equation.

Bill Mytton, Deer and Bear Biologist, stated that he wanted to thank the Board for his previous and present appearance. He continued, hopefully, what I want to express from an agencies perspective is good science to you and some emotion about why we have to manage deer in the state. Mr. Mytton reviewed history of the species of deer. Whitetail deer and turkey. Turkey as an example, what happened in the state of Wisconsin with the wild turkey flock in the early part of this century. It was eliminated because those birds, as Mr. Behnke pointed out, were put in close association with domestic fowl which did not have a health program associated with it and artificial feeding. What happened, every turkey in Wisconsin died or was killed in that process. What happened afterwards was a success story for Wisconsin DNR and the sports people, we were able to recover that for a variety of reasons. Domestic fowl flocks were fazed out, they were no longer found on farms in very high numbers. We were able to go to other states and get healthy animals back into Wisconsin to repopulate our flock. That is a key thing. With CWD you don't have that option. That has to be remembered. We were able to bring turkeys back. We had a failure and we were able to turn it around. While deer are not livestock, and I am in the livestock industry and anyone in it seriously vaccinates 100 percent of their animals, to not do so asks for disaster. You look at that 100 percent of the livestock in our state are confined, not true for deer. They have annual vaccination schedules, they have balanced quality food sources. Captive deer, for instance, are 100 percent confined, but one of the things that we see looking at records is a high number of escapes. That means risk to every deer in the State of Wisconsin. Risk is associated with the disbursement or disbursal of deer farms in this state, which have been highly unregulated, highly under health certified and needs to be addressed today. There are no vaccination programs on typical deer farms. Poor quality is something that we see. Mr. Mytton showed pictures of poor quality deer herd and food sources. He showed a chart indicating the distribution of game farms in the state. Everyone has the potential to start CWD in northern Wisconsin, Marinette County, St. Croix County, it doesn't matter where in the state. If you look at the history of this disease, there is a very close link to that industry. It doesn't jump from one point to the next without help. As Dr. Langenberg pointed out, we have reason for concern. Do you want to take that risk, that is the question that I want to ask you as the outgoing deer specialist. While the captive physical contact and I hate to do this to DATCAP, but there is a quote in the newspaper and I will repeat it, "... there is little chance that wild animals nearby can catch the disease because fencing around the states 272 elk farms prohibits close contact." Those deer are stuffing their nose through a fence touching other deer. Mr. Mytton showed a slide of deer touching noses through the fences. This is a cause for concern. There is a difference in feeding strategies and some of the questions that came up were why yards are not the same. Deer do not go to the same branch because once it is eaten off it is not there. They go to multiple branches, they move differently, they feed in different layers, they don't have their noses stuffed in a pile. The deer in the hayfield are the same thing, Mr. Mytton showed a picture of deer comparing the deer eating from a pile and deer eating from a field. There is no comparison.

If you are a feeder, there is a lot of aggression that takes place when the resources get low, they start beating up on each other and that causes increased mortality. To deny it is to admit that you have never watched a deer feeder. We are talking about a time bomb when you start repeatedly dumping food in a pile. Even in the livestock industry we move our feeders, if you are free feeding in the field you don't always dump your bails in the same spot, you move them around because you are aware that disease is something that you want to prevent your livestock industry from. We have a highly population of people in the United States today that do not have

livestock backgrounds, they don't understand these issues. My wife is a veterinarian, trust me on that. There are other veterinarians in the room today that can speak to the same thing. Repeatedly putting food in one spot is a problem and you can't get around that. Chronic wasting disease is a nile level. Mr. Mytton showed a map of the number of whitetail deer in the United States and in Wisconsin. Every wildlife expert has warned administrators and publics that this will happen if you don't pay attention. TB in the elk herd in Montana do not occur at anywhere close to the same incidence in free ranging wintering elk as they do in feed corrals. You have to address the facts. The public thinks that rules and regulations are in place, I am talking the general public believes that we do the right thing for wildlife resource. Sometimes they are misguided in that perception. Your decision today, as a Board, does not only affect Wisconsin, it affects every state in this country that has a deer resource or a service resource and that is why your decision today is so important to listen to the experts. He asked the Board if a doctor determined that you have cancer, who are you going to listen to, the plumber, the breadmaker, the legislature, or the experts in the arena. The nation is looking to Wisconsin to lead not to follow. Michigan and Colorado who have ignored their experts and allowed baiting and feeding and the growth of the captive wildlife industry to permanently jeopardize their wildlife deer and elk resources, are we going to make the same mistake. People indicate that we should wait until we have the disease before implementing the rules.

The Following Citizens Participated on this item:

3.A.1. Donna White, Cambria, representing the Association of WI Snowmobile Clubs, stated that she objects to December. Hunting because they need the access to mark their trails. She spoke of earlier testimony she gave to the Board this year. She stated they appreciated the Board keeping the December hunt from north of Highway Eight. Ms. White stated that they understand that the Board must do whatever they can to get control of CWD, however, their position has not changed for the December hunt. She reviewed the snowmobiling schedule and asked the Board if any consideration was given to snowmobiling in reference to the snowmobile trails in the rule outline. She showed a snowmobile map with the major trails. Ms. White asked if the snowmobile trails would be allowed to be open, since there wasn't any mention in the rule package. She asked who would decide if the trails should be opened and where they would be open.

3.A.2. Mark Toso, Roberts, representing the WI Deer Hunter's Association, spoke in support of banning baiting and feeding. Mr. Toso presented the Board with a handout of quotes of testimony regarding CWD. These quotes were from Senator Kevin Shibilski and Dick Chier, Conservation Congress Vice Chair, Rebecca Humphries, Wildlife Director of Michigan DNR, Steve Schmitt, Veterinarian of Michigan DNR, David Ladd, Conservation Congress, Dr. Sarah Hurley, Wisconsin DNR, Dr. Siroky, and Dave Norwak. He stated the position of his group has never been about ethics or hunting methods. What the debate is what role does science have in managing the deer herd. They are frustrated that no one listens to the deer biologists and they agree that baiting and feeding is detrimental to deer. He stated that every hunters organization in the state supports the DNR's recommendation based on the science. He also pointed out that a compromise on the baiting amount would be absolutely no good. He urged the Board not to compromise, there is no dispute in science. He stated that it would be disrespectful for the Board to ignore the DNR scientists who know more about diseases than all of the folks at the meeting today. He further stated that if the public can't trust the Natural Resources Board to make the right decision based on overwhelming evidence and public support how can they trust the Board ever again to make critical decisions with our natural resources.

3.A.3. Todd Mascaretti, Neshkoro, representing himself, spoke in opposition to a statewide baiting ban and supports deer eradication. Mr. Mascaretti stated that he received an e-mail from Ted Nugent, United Sportsmen of America, who believes that from the Iowa studies that there is no relationship between supplemental feeding of wildlife and any disease. Mr. Mascaretti identified his background. He stated that in this time of deer overpopulation we should not be looking at how we can further limit the successful harvest of the deer herd but should be embracing baiting as an effective management tool and use it accordingly. If the ban is carried out he stated that he would be the first to lay down his weapon and request reimbursement of his Conservation Patron's license. He further stated that the proposed ban is a mistake and an insult to the hunting community. He asked the Board to adopt a similar to a class B bear permit to help enforcement officials to enforce illegal baiting as well as generate money to help eradicate CWD.

3.A.4. Larry Gohlke, Neshkoro, representing himself, spoke in support of the ban on baiting and feeding. Mr. Golke reflected on his past testimonies and his history of deer management. He stated that he takes this disease issue very seriously and has been involved with baiting. He stated that there is a difference in baiting and feeding, whichever you do will keep deer on your property, and remove them from the hunting public. He stated that if the state wanted to have more deer shot, he felt that baiting and feeding should not be allowed so the public has access to the deer. He urged the Board to ban of baiting and feeding.

3.A.5. Carroll Marcusen, Madison, representing himself, spoke in support of eradication and being more aggressive in eradication. Mr. Marcusen presented the Board with a handout, a proposal for the elimination and disposal of deer within the chronic wasting disease area of southwest Wisconsin. He reflected on his history. He spoke of cost, eradication, and disposal. Mr. Marcusen reviewed his proposal including a stronger eradication plan. In summary, he stated that this proposal is designed to maximize the likelihood of killing all deer in the affected area and to process the remains in a manner that minimizes the likelihood of further spread of the CWD prions.

3.A.6. Wayne Schroeder, Appleton, representing Deer 2000 Committee, spoke in support of the ban on baiting and feeding within the eradication area with a buffer zone. Mr. Schroeder presented the Board with a handout. He stated that his committee were against a statewide ban on baiting and feeding. He reflected on different feeding areas and amounts, stating they were not just banning piles of bait but other types of feedings. He reflected on recreational and supplemental feeding. He stated that if anything should be banned it should be captive deer on elk farms. He further stated there is TB in captive elk in Manitowoc County and asked if we were going to wait until the TB is spread to the wild deer herd. Mr. Schroeder stated that he was getting calls from hunters saying they were not going to hunt. He spoke of lost revenue in licenses.

3.A.7. Jim March, Verona, representing the Conservation Congress of Dane County, spoke in strong support of the Department's rule proposal of CWD and the Congress Executive Council for a three-year statewide moratorium on the baiting and feeding of deer, which was unanimous among the delegates. Mr. March spoke of his history with research and management of deer herds. He asked the Board what would be lost if the ban of baiting and feeding were banned for three years compared to what would be lost without the ban and CWD spreads across Wisconsin. He stated that CWD was the most direct threat since deforestation to the Wisconsin deer herd. He stated that each us must decide, in the history of conservation in Wisconsin, whether we want to be remembered as the generation that watched while the demise of the state's deer herd, as we now know it began, or do we want to be remembered as the generation that acted in the best ways we knew how, to try and save it.

3.A.8. Richard Ludwig, Park Falls, representing himself, spoke in opposition of the DNR position on banning baiting and feeding statewide. Mr. Ludwig reviewed his history and familiarity with deer. He reflected on deer yards in northern Wisconsin and normal to severe winters. He stated that it is his understanding that an isotope strontium test is an analysis of bone to attempt to identify the origin of the deer. He asked if the deer were tested to see if they came from a different area. He further stated that if the DNR recommendation to ban baiting and feeding statewide were to prevail and 10 years from now, who and/or what will be the scapegoat at that time. He further referred to the Hayward meeting on June 5 that he attended.

3.A.9. Jamey Gander, Richland Center, representing himself and the Richland County Conservation Congress Deer Management Unit 71, spoke in support of a boundary and the shrinking structure changes of eradication area. He reflected on his history and his personal contacts with folks regarding CWD. He came to the conclusion that the public in the outlined areas of the management zone were not happy. He reviewed his attendance at the State Conservation Congress hearings and the radius zone in the state. Mr. Gandner presented the Board with a map outlining a new boundary area for consideration.

3.A.10. Chris Beeman, Marshfield, representing Prince Corporation, did not appear and Mr. Dennis Wessel spoke on his behalf. He stated that at Prince Corporation they make a high quality deer pellet and elk pellet with four to five minerals and vitamins that help promote the healthy well being of deer. He spoke in opposition of a statewide ban on deer baiting/feeding. He reflected that nothing in the rule document addresses the known problem. He asked the Board not to rush to judgment, not to make decisions based on emotions, to not spend millions and millions of dollars of taxpayers money in a time of a budget deficit unless the facts are known. He stated that they want to support the efforts of the DNR, however, individuals feeding deer from small feeders are not a threat. He further stated that banning this type of feeding only hurts those individuals and the businesses that make quality deer feed

that contains vitamins and minerals that may help prevent the disease. He urged the Board to look at the practice of feeding deer with the intent to attract large quantities, not the individual with the small feeder sitting at the edge of their woods.

3.A.11. Dave Nowak, Fredonia, representing the Baiting and Feeding Committee, spoke in opposition to the Department decision to ban baiting and feeding statewide. Mr. Nowak spoke of the CWD disease in the deer herd and a meeting he took part in. Mr. Nowak reflected on Mr. Schroeder's report and spoke of baiting and feeding recommendations. He further stated that he felt that an outright ban on baiting and feeding statewide will do nothing to stop the spread of CWD statewide in Dane County or anywhere else. His Committee did recommend to stop the feeding and baiting in any diseased area. Mr. Nowak spoke of the people saying they would no longer hunt because of a lost hunting style. The revenue lost due to the ban on baiting could be catastrophic. He asked the Board to follow the Deer 2000 baiting and feeding recommendation.

3.A. 12. Rick Posig, Green Bay, representing the Bear Hunters Association, spoke in support of the Department's position on baiting and feeding. He stated that the Bear Hunters Association would like to say is that after the Conservation Congress hearing and the bear bait issue, they were disappointed that the June 1 date was in the rule without a phone call to the Bear Association or to the Bear Association Conservation Congress Committee before it was added. The Wisconsin Bear Hunters would like to have the June 1 date eliminated. He stated that it is not feasible.

3.A.13. Bill Ernst Butternut, representing Butternut Feed Store, spoke in opposition to the rule and he would prefer to leave feeding and baiting as it is. He reflected on feeding and watching the deer as a family. He stated that he is concerned about the financial impact that the Board's decision will have on this billion plus dollar industry in the state. He reflected on his hunting experience and listening to non-baiters. He further stated there are already laws in place concerning baiting and biologist who are supposed to be watching the deer population numbers and we have wardens throughout the state who should be enforcing these laws.

3.A.14. Todd Stittleburg, Black River Falls, representing himself, spoke in support of feeding and baiting. Mr. Stittleburg reflected on his history as an animal nutrients studying deer and elk for the past 15 years. He stated there were too many questions left unanswered with issuing a statewide ban on baiting and feeding. He further reflected on other diseases in the state. Mr. Stittleburg reflected on other states that have CWD and in those states it is illegal to bait and feed deer. He stated that the deer yards that have been around for hundreds of years there is a lot of social interaction and he felt that the if saliva and interaction were to spread this disease we would have found it years ago in northern Wisconsin and Minnesota. He further stated that the most recent theory that the lack of copper in an animals diet will lend that animal to be much more susceptible in getting this disease. He reflected on mad cow disease, scrapies in sheep, and CWD. He stated that he believes there is not enough concrete evidence to support a ban on feeding and baiting.

3.A.15. Mark Houslet, Oxford, representing Wisconsin Bow Hunters Association, spoke in support of the Department's proposal. Mr. Houslet stated that his comments were on behalf of the Bow Hunters Association. For the record, he stated that the Wisconsin Bow Hunters Association supports the Department of Natural Resources efforts to contain an eradication chronic wasting disease in Wisconsin. He further stated that this also includes a recommendation for a statewide three-year moratorium on baiting and feeding of deer statewide. He stated they would like to suggest a separate task force to be formed to deal with the collateral damage caused by CWD hysteria. He spoke of the problem of population control. Mr. Houslet stated that they need a comprehensive initiative to restore the confidence of the hunting public in consuming venison, or be prepared to offset this loss of revenue and management tools with other alternatives.

Mr. Willett stated that his question relates to the baiting and feeding issue. The majority of the calls that I received opposing the statewide ban. I am wondering how it was that your association determined to take this position. **Mr. Houslet** responded, we have been watching this for quite sometime. Our Board at our Convention the first of March, 24 hours after CWD was announced in Wisconsin, we were all very concerned. We all stayed very active in tracking this and watching all the press coverage that was going on. We attempted to educate ourselves on all the issues as much as we could. We had numerous fractions contacting us and asking us to demand an immediate ban on baiting statewide. We had other groups contacting us and asking us to support baiting. We had a board meeting scheduled for June 8 and I told all the Directors that we would not be making a decision on this until June 8. On that

date we had our board meeting with 23 board members, four were absent, but the 19 that were at our meeting discussed this at length. The vote to support the Department's position on this was 16 in favor, one abstained, and two opposed. We were pretty strong on our support of this and it was not taken lightly. Our association has been torn over baiting and feeding for a number of years with about half in favor and half opposed with very strong feelings on both sides, including our Board of Directors. We didn't take this task lightly. We have about 9500 members and there are 265,000 bow hunters in Wisconsin.

3.A.16. Greg Meissner, Sturgeon Bay, representing himself, spoke in support of a total ban on baiting and feeding. Mr. Meissner stated that he is a landowner in Door County, Wisconsin, and hunts deer in Iron County. He stated that his motivation to speak to the Board was primarily out of a feeling of disgust. He stated that he was disgusted with the way the Board has handled the baiting and feeding issue today. Mr. Meissner stated that two years ago with the direction of this Board put together with an advisory committee would not propose a ban on deer baiting and supported the use of bait as a legitimate hunting practice at the same time they chose to ignore approximately 26 changes to the current baiting and feeding laws which were recommended by the Deer 2000 Baiting and Feeding Committee. By taking this position the committee essentially eliminated further discussion over much of the concerns expressed by sportsmen who opposed baiting, and ecologists and biologists who argued that it was not a good practice if we wanted to maintain a healthy deer herd. In the end the baiting rules remained the same as they had been, the controversy was not resolved, and most of the other suggestions brought forth by the special committee pertained to regulating captive wildlife, a subject which had been brought to the Legislature almost 10 years prior to this time. Mr. Meissner reviewed study groups and results. He stated that the evidence is so vitally obvious that baiting and feeding is a practice that has made a negative impact on the deer management system.

3.A.17. Alan Zeller, McFarland, representing himself and other landowners, spoke in regard to the eradication not being justified. He stated that the landowner group of Citizens and Landowners for a Rational Response uniformly supports fighting the spread of CWD in a rational manner, but they reject the proposition put forward that they are best served by a premature effort to undertake the largest mass killing of wildlife anywhere. He requested to have the Board reject the portion of the proposed rule relating to zero population in the eradication zone, and that the Board move to re-prioritize where our money and the Department's efforts toward deer management are to be spent. He stated that the Board Members are the citizens that have the power to respond to this political crisis. Mr. Zeller stated that his group is asking the members of this Board to dramatically increase testing to increase their understanding of the scope of the problem. Mr. Zeller stated that his group of landowners are canvassing their neighbors asking them to sign on against eradication, with 80 to 90 percent support it. Mr. Zeller stated that their attorneys have explored potential challenges to the DNR eradication, they found difficulties with the fifth and fourth amendments.

3.A.18. Jon Nelson, Richland County, representing Conservation Congress, spoke in support of a boundary shrinking structure in the eradication zone. Mr. Nelson stated that the Board received a handout previously regarding his presentation. He stated that one of the concerns that folks have in his area is they want to make sure the boundaries are clear. He presented the Board with a map showing a clear map of seven state highways. He talked to Representative Johnsrud and he agreed with him that they had to reduce the management units and make sure the boundaries are clear. He stated, it is frustrating for the wardens when the boundaries are not clear. Mr. Nelson stated that he spoke with a conservation warden and he has seen the map and this will make his workload easier if Highway Eighty in Mr. Nelson's area instead of six or seven county roads because this fall it will be an issue of workload and reduce the costs.

3.A.19. George Elbe, Wausau, representing himself, spoke in support of a moratorium on baiting and feeding. Mr. Elbe commended the Department of Natural Resources for presenting a very good package. He stated that he wanted a moratorium for the feeding of whitetail deer as long as the chronic wasting disease is in the State of Wisconsin. He stated that he would also like to commend the DNR for the people they had in Elton. Mr. Elbe stated that he would vote for no change at all and he could not impress upon this Board what is at stake, a 50-50 chance of being right or wrong. That is why Mr. Elbe encouraged the Board to use any means possible to confine baiting and feeding in this state until they get this under control.

3.A.20. Harley Sampson, West Salem, representing Quality Deer Management Association, spoke in support of the Department's position on CWD. Mr. Sampson stated that the Quality Deer Management Association (QDMA) has endorsed the Wisconsin Department of Natural Resources plan to combat the disease. He stated that while there are still many unknowns, the QDMA believes that immediate and decisive action must be taken to prevent further

spread of the disease. He further stated that a key component of the DNR's plan is a statewide ban on supplemental feeding. If the evidence suggests that CWD could spread more quickly in areas where deer are more concentrated in artificial feeding sites, QDMA supports a statewide ban on supplemental baiting and feeding, at least until we can be convinced that the treat of the disease has passed. He further spoke of the boarders and of the importation of deer for deer farms and hunting purposes. Mr. Sampson spoke of massive eradication of the deer and stated that it is important to remove as many animals as possible before infected individuals disburse to adjacent areas and infect those populations. He stated that QDMA is joining with several state wildlife agencies and conservation organizations to cosponsor the CWD Conference in Denver this August. It is hoped this meeting will provide a better understanding of this disease and shed light on how to eliminate CWD from infected areas and prevent the spread into uninfected areas. Mr. Sampson stated that QDMA applauds Wisconsin's DNR rapid and aggressive response of the outbreak and lends full support of the current plan and they hope that this outbreak will encourage hunters, landowners, and state wildlife agencies throughout the whitetail range to recognize the importance of adequate harvest and the need to maintain herds with an acceptable population densities. He stated that QDMA's mission is to support sustainable high quality whitetail deer populations while at habitats and for hunting experiences through education, research, and management.

Chairman Solberg asked if his group supports the management of deer where there is a doe to buck ratio. **Mr. Sampson** responded, yes. **Chairman Solberg** responded, many years ago this Board voted to, in those T-zone areas, first to have an antlerless only season totally and of course the politicians stopped that in a hurry. He asked Mr. Sampson if his group would support that. I am saying antlerless only in these deer units until we get them under control. **Mr. Sampson** responded, I believe that QDMA would probably support that.

3.A.21. Mike Douglas, Fremont and Winter, representing himself, spoke in support of the DNR plan for CWD control. Mr. Douglas reviewed his history of hunting. He stated that his comments come from his perspective of both a landowner and a heavy user of public property. He commended and thanked the DNR folks on the great job they are doing now and what they have done in the past. He stated that the DNR consistently has shown excellent leadership even in the face of severe public pressure, they have taken unpopular stances but all for the good of the resource. Mr. Douglas stated that he believes that as much as we lay persons think they know about chronic wasting disease and diseases in generally we really don't know anything compared to what the experts know and we should admit that. He stated that in his mind the DNR rule proposal comes down to two things, they are stamp out the disease where you find it based on the present of today and reduce the opportunity of the disease to spread which is based on tomorrow. He spoke on artificially concentration of animals in an area with a food source. He asked the Board to help preserve the hunting heritage of the people in the CWD infected area by voting in favor of the DNR rule proposal and help preserve everyone else's hunting heritage by voting in favor of the DNR rule proposal in its entirety.

3.A.22. Jerry Aulik, Antigo, representing himself, spoke against the DNR proposal to ban baiting and feeding statewide. He spoke of his history with deer. He stated he used baiting as a tool to help control the herd. He further stated that if this is banned they would be eliminating this tool and many hunters along with that ban. He spoke of the numbers of gallons that would be reasonable for baiting and feeding. As for disease, Mr. Aulik stated that from what he has heard from the news media and from the DNR, they don't know the cause of CWD and baiting and feeding is the cause of the spread of the disease. He stated that he felt this disease is just a lever to ban baiting and feeding. He referred to the handicapped using baiting and feeding extensively. He spoke of the economic impact of banning baiting and feeding. Mr. Aulik also stated that he believes all game farms should be eliminated because these animals are in close contact of transmission for 365 days of the year.

3.A.23. Al Hofacker, Athelstane, representing himself, spoke in opposition to baiting and feeding. Mr. Hofacker stated that, taken as a whole, he supports the rule because it offers the best option to eradicate or minimize the spread of CWD. He suggested that they could be more aggressive in reducing the deer population to 10 deer per square mile in the CWD management zone. He recommended the gun season within the management zone run through January 31 rather than ending on December 15 or include a provision in the rule to permit extending the gun season beyond December 15 and when it becomes likely that the deer population will not be reduced to 10 deer per square mile. Mr. Hofacker spoke of his history and his views at public hearings. He further spoke of CWD and free ranging deer and is in agreement that CWD occurs more rapidly in deer populations when deer densities are at high level or when they are artificially concentrated. Mr. Hofacker asked the Board to cast their vote in favor of what is in the best interest of the future health of Wisconsin's deer population both within the CWD management zone and throughout the entire state.

3.A.24. Dick Limmex, Spring Green, representing himself, spoke to having more testing done statewide. He stated that we should be testing the whole state of Wisconsin. He feels that we will find it in other parts of the state. He further stated that this CWD disease will lower land value, lost revenue, and we have lost credibility. Mr. Limmex reviewed his history with deer hunting in the 1950s. He stated that if we are shooting these deer in the eradication zone these deer will not stop in a mile he will travel and we will spread the disease. He stated that he feels that for 30 years we have known about this and we haven't done anything yet. Mr. Limmex stated we have a problem that will lower land value, and the deer have been eating out of the fields of corn and alfalfa. He stated that feeding using common sense isn't going to hurt.

3.A.25. Dan Wicklund, Superior, representing Dan's Feed Bin, was scheduled but did not appear.

3.A. 26. Keith McCaffery, Rhinelander, representing himself as a deer biologist, spoke in support of the ban on baiting and feeding. Mr. McCaffery spoke of natural versus unnatural deer concentration. He also gave arguments on quantity limits and scientific evidence regarding advise imposing a statewide prohibition of deer baiting and feeding. He stated that the banning of baiting and feeding must be done now so as to avoid repeating the mistakes of delay as was done in Colorado and Michigan. He stated that based on the national experience, there are only a limited number of actions that can be taken against CWD. Most of these actions are urgent, politically unpopular, and some are extremely difficult to achieve. If all were fully implemented now, there is hope but no assurance that CWD might be successfully eradicated from our world class deer herd. Mr. McCaffery stated that most citizens may not understand the colossal problem that CWD poses to the State of Wisconsin but the scientific staff does understand and the failure to follow staff advice will likely add more fear to an already fearful public. Mr. McCaffery urged the Board to endorse the DNR staff recommendations.

3.A.27. Paul Zimmerman, Madison, representing Wisconsin Farm Bureau, spoke in support of the Department's position and rule package. Mr. Zimmermann stated that on behalf of the Wisconsin Farm Bureau they support the Department's efforts to address CWD as in the rule proposal. He stated that he is the first to acknowledge that within the farm community there are farmers where the selling of feed for deer is very vital and important to them but in the overall gamete of things, in trying to hopefully eradicate the disease or at the very least minimize CWD in the very near future, they support the ban on baiting and feeding. He stated that it brings up a point that he wanted to bring to the attention of the Board and that is they need to reduce the states deer herd. At their annual meetings every year one of the hot topics is deer herd numbers and deer hunting is very important in the State of Wisconsin. He stated they need to get the numbers of deer herds reduced and that is why they supported T-zones in the past and in extreme cases earn-a-buck. Mr. Zimmerman stated that he is not a scientist but he does know enough about animal biology that when you have too many of any particular critter you have a greater chance of disease breaking out. He further stated that his membership is frustrated at the crop damage and some of the other issues that are brought up with an oversize deer herd. He urged the Board to support the rule proposal as presented. He stated that one question he wanted to bring to the Board is once the deer are registered they are allowed to leave the zone. When CWD was first discovered there was a number of theories of how it got here, one being that a contaminated carcass from out west was brought into the state. If that is the case and he stated that he is not a scientist. He asked why would they allow a possibility of a contaminated carcass from the eradication zone to go somewhere else in the state. Mr. Zimmerman stated that he understands from Department staff they don't have the statutory authority to address this, but if that is needed it is something that the scientist think should be done, he encouraged the Board to see if this could be addressed. **Mr. Tiefenthaler** responded and asked the staff to comment on that. I thought the same thing. Why are we letting carcasses out or deer parts out of the area. They can comment when we are done with the public participation.

3.A.28. Ross Reinhold Mt. Horeb, representing himself, spoke in opposition to the intense harvest zone but supports CWD management. Mr. Reinhold reviewed his background. He stated that it was stated earlier there were a thousand permits issued to landowners who had gotten permits from the DNR and the impression was they supported the DNR. He stated that he has over 200 names on a petition in his possession of folks who ordered the permits. He further stated that some of the folks had the idea there would be a limited number of permits and asked that these folks not be counted as being on the side of the DNR since their signature is on his petition against this eradication. Mr. Reinhold stated that his group largely supports the CWD management zone proposals, they represent something that a large number of their members and people they talk to can get behind because they want to support deer population reduction and they recognize CWD as an important manner to be concerned about. Mr. Reinhold stated what they oppose is the intensive harvest zone and what they see as a hysterical reaction on unsafe and unsound policies and procedures. Mr. Reinhold reflected on hunters going on the wrong property lines, it is very easy for shells to carry across property lines, and he addressed safety. In conclusion, he reflected on stress of

living in the area of gun fire. **Ms. Stepp** asked what the proposal wording was. **Mr. Reinhold** responded, I don't have it with me and I don't have the exact wording.

3.A.29. Kevin Wallenfang, Middleton, representing Rocky Mountain Elk Foundation, spoke in support of the Department's proposal. Mr. Wallenfang thanked the Board for the opportunity to speak and also thanked the Board for all the support that has been given the elk program over the state in the last few years. He also commended the DNR in all they have been doing with CWD. He stated that it was important to clarify that there was a slide presented earlier that listed the Elk Foundation as supporting the ban on baiting and feeding in the state. The Elk Foundation has not yet come out with an official statement on that issue. Mr. Wallenfang stated that the Elk Foundation has long been concerned about CWD. They have in the past and will continue to fund research that has been going on to help find a solution to this disease, how it is spread, and what can be done about it. He stated that there is a thriving healthy elk population in Wisconsin now, something they are all very proud of, and something that the Board helped put on the ground. They don't want the herd eradicated the same way that the deer are right now. He stated that they are disappointed that the Jackson County release that was approved earlier in the year has been scrapped for now and hope to see it up and running again in a couple of years. The Elk Foundation does have a lot of membership that is concerned about this issue and they want to do what they can to continue to support the Department and find a solution to the problem. Mr. Wallenfang stated that the best thing that can be done right now is to give the Department every tool they need to get the job done. He stated this will take years and the rule proposal will not stop with the Board. He urged the Board to err on the side of caution, let the science talk as they go along, and give the Department the tools needed to get the job done.

3.A.30. Tony Grabski, Blue Mound, representing himself, spoke mostly in opposition to the Department's position on the proposed emergency rule on controlling CWD in Wisconsin. Mr. Grabski reviewed his educational background in bacteriology from the University of Wisconsin, Madison. He further reviewed his work experience and his history. Mr. Grabski stated that his views are shared with several citizens. He stated that, although he is representing himself, he is involved with the CAIDS Organization and his views are shared by hundreds of concerned citizens both within and outside the CWD eradication zone. He further stated that the present rule is flawed and primarily motivated by financial and political objectives without due consideration to existing scientific and statistical facts, safety, property rights, the cherished rite of hunting in our state or long term health of the deer population. Mr. Grabski went on to indicate the problems with the rule and what should be changed. He urged the Board to reject the CWD rule proposal.

3.A.31. Jim Samster, Milwaukee, representing himself, spoke opposing the ban on baiting and killing the deer. Mr. Samster stated that he believes the actions of the DNR are too drastic, responding to pressure including political pressure. He stated that he has a lot of respect for the Board. He further reviewed his history, love of hunting, and the number of folks that bait. Mr. Samster reviewed information regarding CWD. He stated that if you stop the baiting you lose the hunters and eradication is not the answer.

Discussion pursued regarding the number of folks baiting to hunt.

3.A.32. Tim Grunewald, Sauk City, representing The Wildlife Society (TWS), did not appear but sent Eldon McLawry, a representative of TWS spoke in his place. He spoke in support the Department's position on CWD management emergency rule as proposed. He reviewed the history of TWS and his position. He stated that TWS supports the plan because it decreases the level of incidence within and minimizes the potential for spread of the disease outside the affected area. He stated that he felt that the biggest problems are the game farms, and these need to be tackled. It supports the proposed actions by the Wisconsin Department of Natural Resources because they are science based. He further stated that the WCTWS, representing nearly 300 wildlife professionals in the state, supports the emergency rule to manage CWD in Wisconsin as proposed. He encouraged aggressive actions regarding the continued and expanded surveillance of the disease in the state, more research into the disease's transmission and epidemiology, investigations into the human dimensions of hunter participation in animal removal, increased efforts into the determination of human health implications, an improved testing protocol for the disease, expanded information and education to the general public regarding the disease, and strict regulations and enforcement of the captive wild animal industry including mandatory tests and restrictions on movements of captive animals both within and from outside the state.

3.A.33. Mark Kessenich, Mt. Horeb, representing himself, spoke in opposition of the Department's position on CWD. Mr. Kessenich reviewed his history as a landowner, his present and past employment, as a former scientist. He further stated that we don't know what environmental factors set about making this very important aspect of our nervous system to change and set about killing an animal. Mr. Kessenich stated that he has followed diseases for many reasons for many years and one fact is that if you test for it you will find it. There has never been testing done on a statistical level where they have not found this disease. Mr. Kessenich stated that to bring a war zone to his home, to endanger his animals, to endanger his family, his business, his livelihood is unacceptable behavior, five years of this with so little data. He further stated that they need to slow down, find better understandings, look at environmental factors, and look at other approaches.

3.A.34. Max Rosenbaum, Mt. Horeb, representing himself, spoke in opposition of the rule proposal in its present form. Mr. Rosenbaum identified himself and reviewed his history, education, and employment. He stated that he opposes this rule because of the uncertainties and the fact that, to his knowledge, the proper handling and disposal of deer parts has not been adequately explained for an eradication program of this magnitude. He stated that he feels compelled to speak against the current deer eradication program as proposed by the DNR. He further stated that his main concern deals with the lack of safe handling procedures. Mr. Rosenbaum stated that he did not raise this issue to belittle or otherwise disparage the DNR, he knows them to be dedicated individuals who often have a thankless job. He stated the emotional distress of any eradication program would have a heavy toll on those who protect our natural resources, especially animals. Mr. Rosenbaum stated that he believes that the present concept of a massive, ill-prepared eradication program that does not anticipate its inherent problems will not only defeat its containment concept but will exacerbate it and perhaps even lead to greater problems of interspecies transfer than we currently envision.

3.A.35. Rich Kirchmeyer, Prentice, representing the Bear Committee of the Conservation Congress, spoke in support of the Department's position of CWD. Mr. Kirchmeyer stated that baiting is a very important harvesting tool in managing the black bear population. He reviewed the 2001 bear season and the success of the hunter. He referred to page 36 of the rule proposal and stated that the Conservation Congress Bear Committee and the Wisconsin Bear Hunter Association along with the Department worked on this issue to insure the future of bear baiting. They wanted to define what a bear bait site is so a law enforcement officer could identify or differentiate bear bait from any other bait site in the woods. Mr. Kirchmeyer stated that he, along with the President of the Bear Hunters Association, were not aware of the June 1 baiting restriction.

3.A.36. James Cornell, Shell Lake, representing himself, was scheduled but did not appear.

3.A.37. Tom Perlick, Sarona, representing himself as a farmer, spoke in support of feeding deer. Mr. Perlick reviewed his scientific and farming background. He stated that he has a vested interest in the feeding and baiting issue. He spoke of the history of his selling feed. He stated that he has other neighbors that sell about 200,000 plus bushels of corn in Washburn County alone that are sold for deer. He further stated this will have a great economic impact, if baiting and feeding is banned, not only for farmers but for the convenience store owner, the feed mills, and local outlets that sell deer corn, plus the tourism industry. Mr. Perlick stated that he wanted a healthy deer population. He further stated that if there was solid conclusive evidence that this is what causes and will continue to cause the spreading of CWD, he would be the first one to say let's stop it, let's ban it, let's not do it. Mr. Perlick urged the Board to vote on continuing to let them bait and feed.

3.A.38. Dr. Robert Ehlenfeldt, Madison, representing Department of Agriculture and Consumer Protection, spoke in support of the Department's position on baiting and feeding. Dr. Ehlenfeldt identified himself as the State Veterinarian and for the record stated that the Department of Agriculture and Consumer Protection supports both the emergency rule and the ban on baiting and feeding statewide. He stated that there have been a number of persons offering opinions and theories and he freely admits that they don't know everything there is to know about chronic wasting disease. He further stated that when they started a joint team, experts from around the state (Ag, DNR, Health, UW) these people didn't have years of experience, they had decades and centuries of experience, wildlife management, epidemiology, disease control, research diagnostics. These experts, believe it or not have difference of opinions on these things, all veterinarians don't agree on everything. Early on the Chair of the science committee came up with a system to deal with things that weren't a big deal, that didn't need debate, they were called no brainers, and if it were a no brainer, we moved on. He gave examples of these no brainers as, you eliminate the disease you don't manage it; you increase the surveillance in both the wild and the captive herds; you ban feeding and baiting; all no brainers according to the collective expertise of the committee. There have been discussions

about CWD not caused by baiting or feeding. He stated that he can't tell us what is transmissible, if CWD is spread by feed. He stated that what he can tell us with absolute certainty that tuberculosis is. Proven in Michigan, they have taken the Michigan strain of TB, put it in clean white tailed deer, put it in an isolated booth, let them feed, moved them out, moved clean deer behind them, they got infected, moved cattle behind them, they got infected. Dr. Ehlenfeldt said to forget the CWD discussion on baiting and feeding for a moment and talk about TB. Talk about TB in the west near Yellowstone Park and in Wyoming where state farms are feeding grounds have exasperated that. He stated that on February 27 we didn't have CWD on February 28 we did; on June 16 we didn't have TB on June 17 we did. He further stated that we can't control deer behavior, you can argue that we can't control human behavior but we have a better chance at controlling human behavior, baiting and feeding, and controlling that is a step in control of this disease along with a whole lot of other diseases. There have been several comments about deer farms and deer farm regulations, Dr. Ehlenfeldt stated that they have CWD rule hearings on import restrictions of emergency rule on CWD for private farms coming up in Fond du Lac, Wausau, Eau Claire, and Madison on July 16, 18, 22, and 25. For locations and review of the rule please call 608/224-4872.

3.A.39. Bob Oleson, Palmyra, representing Wisconsin Corn Growers Association, spoke of concerns and provided information to the Board regarding feeding. Mr. Oleson reviewed his business of feeding livestock through his crops. He stated that the Wisconsin Corn Growers Association standpoint do not have a position for or against feeding because this issue was not available, this issue was not an issue when they had a meeting. He stated that from their perspective the Board needs to know how important it is to them, speaking about feeding of two to three millions of bushels of corn feed in Wisconsin per year. Mr. Oleson put these numbers in perspective for the Board. He stated that the corn farmers of Wisconsin would be losing economically. He further stated that if there is a ban of feeding of deer, there will be a great deal more of crop damage. He spoke of wildlife and their eating of his fields. Mr. Oleson asked the Board to consider the damage this would do to the state.

3.A.40. Steve Oestreicher, Harshaw, representing the Conservation Congress, spoke in support of the Department's position on the rule proposal. Mr. Oestreicher stated that deer baiting and feeding is suspected by some for the spread of chronic wasting disease. He stated that currently it is legal to bait and feed deer in the State of Wisconsin. Some areas of the state the deer herd has grown markedly in the past few years. However, there is some suspicion that deer baiting and feeding coupled with large herd numbers are at least partially responsible for the spread of chronic wasting disease. He further stated that it is thought that large numbers of deer feeding in small areas are more prone to spread the disease. Deer hunters spend millions of dollars during Wisconsin's deer hunt every year. Wisconsin's northern and western economies depend on the deer hunters for a large portion of their winter income. He stated that if this disease is spread to a large portion of our deer herd it would cause heavy restrictions on deer hunting. The Executive Council of the Wisconsin Conservation Congress is requesting that the Natural Resources Board and the Department of Natural Resources set a moratorium to stop the baiting and feeding while we await further testing to determine if baiting and feeding are indeed part of the problem. Mr. Oestreicher stated that a moratorium is only temporary. He stated that on another subject, Mr. Hauge mentioned earlier that they have thrown everything possible at the hunters to try and control numbers in certain areas of the state, all except one. That is to do away with the unwanted and unpopular T-zones and give the gun deer hunters the antlerless tags so they have them on opening morning of the nine-day gun season and they will kill the deer.

3.A.41. Ron Prochnow, Menomonie, representing local group of grain producers, was scheduled but did not show.

3.A.42. Jim Zimmerman, Rosendale, representing WI Corn Growers Association, was scheduled but did not show.

3.A.43. Doug Mace, Baldwin, representing Goldstar Cooperative, shared concerns from a grain business standpoint. Mr. Mace stated that he was representing his business of an agricultural coop. He stated that whether it is right or wrong, all the feed they sell for the maintenance of the deer herds and the baiting is a substantial amount of money, approximately \$75,000 for the deer feeds. He believes baiting and feeding are separate issues. He is concerned with the definition of baiting. He stated that the bird feeding has to be out of the deer's reach and that he witnessed a deer standing on his hind legs eating from a bird feeder. He further stated that potentially, if you take all of the deer feeding, bird feeding, or the feed given to the squirrels, you are probably looking at \$300,000 to his organization alone. He stated they have lost a lot of farms and they have been trying to keep his business going with other issues. Mr. Mace stated that he realizes there isn't much he can do about it, he reflected on some of the testimony today. He stated that he didn't want to lose that zeal of going into the outdoors by having all the sharpshooters coming into his neighborhood and killing all the deer when maybe they didn't have to.

3.A.44. David Withers, Sturgeon Bay, representing himself, read a letter in its entirety from Mr. Tom Nettesheim, Board County Chairman of the Conservation Congress. Mr. Nettesheim's letter reflected on the proposed rule on banning all deer feeding. He asked the Board to not vote to eliminate all deer feeding stating that his family feeds and views the turkey, squirrels, birds, and deer daily and is very important to their retirement style. He stated that he believes that deer are a state resource that should be enjoyed by all Wisconsin residents and visitors and he would not do anything that would jeopardize the well being of any animal. Mr. Nettesheim asked the Board to look past the CWD hysteria, find a sensible way to control the current problem without needlessly eliminating the rights and privileges of all. Mr. Withers concluded that as a Board Member of the Bear Hunters Association, the association strongly objects to the limitation of June 1 and the close of the bear season. He stated this was not brought to the attention of the association. He stated that he has been authorized by the Door County Delegates of the Conservation Congress to suggest a one-gallon limit on feeding deer.

3.A.45. John Barnes, Verona, representing himself, spoke against the eradication of deer. Mr. Barnes reviewed his history as a landowner, a veterinarian, and operator of Prairie Spirit Wildlife Sanctuary, a dedicated land trust in the target zone of CWD. He stated that he reviewed research data and spoke to many researchers working with CWD and have found that many suspicions exist as to the cause of transmission, but nothing is absolute or factual. He stated his sources. He further stated that one common theme of these scientists is that CWD is a laterally transmitted disease, deer to deer, with additional thinking that contamination of the environment occurs from exudates from infected animals. Mr. Barnes stated that it is recognized that a massive militaristic shooting campaign will drive deer out of their normal home territory into adjacent areas that they would normally not frequent, thus spreading the disease. He reflected on the deer population for the past three decades in Wisconsin. He stated there is a difference of opinion on this disease, even in the west. Mr. Barnes stated that it has become evident to all that massive shooting campaigns represent a political response not a biological solution.

3.A.46. Arnold Baer, Milwaukee, representing Human Society of the United States, spoke for the Human Society. Mr. Baer stated that this is a tough issue and he extended his full courtesy and understanding to the Department of Agriculture and the Department of Natural Resources trying to address CWD. He stated that he wasn't sure where the science is and that he heard a lot of testimony asking many questions addressing CWD. He further stated that he does not have all the answers. Mr. Baer stated that we should be testing statewide, we shouldn't wait until October, seeing where this has spread before we take massive steps. He spoke of containment, scaring animals out by eradication. He further stated that he understands the economic concerns but it seems that this should have a moratorium on baiting and feeding until they figure out of what is going on. He further stated that herd control should be taken seriously.

3.A.47. Greg Kazmierczak, representing the Wisconsin Deer Hunters Coalition, spoke in support of the current science of the Department on the feeding and baiting, eradication, and the herd reduction that has been recommended to this point. He stated that he is also a professional understanding hunters, unlike the scientists. He further stated they understand the deer, they understand the biology, but in his business, his employees all rely on his understanding on what makes the hunter tick. Mr. Kazmierczak stated there were a few areas in the proposal that they are making a mistake on. He stated they be reaching out to the hunting community to get them involved in this process and to this point that has not yet been done. He spoke of putting hurdles in front of the hunters to make it more difficult to get the hunters involved, the earn-a-buck system, and season dates.

Chairman Solberg commented that he would like to see something done with the bear hunter situation. One of our former leaders said that you are an expert in your only square mile and that is probably very true. I know that, in our area, there are several thousands acres or more than are owned privately and everyone on those several thousand acres baits. I can tell you that on our particular property we have all trees, except for a field and there is 165 acres of clover this year and it draws deer from miles and miles around. The last three years we have taken off 50 antlerless deer or more each year and I can tell you that without baiting it is not going to happen. It is unfortunate, I know those deer numbers are going to be down. In our situation, and other private landowners that I have talked to, and that is why I feel this way. I know the Department has addressed some of those questions but I think they are wrong on it. We certainly have to address the number of deer that we kill and if, in fact, this disease is all over the state already, what are we going to do. I would like someone from the Department to address that. If this fall when we test in all these counties and we find it sporadically in many different areas in the state what happens?

Mr. Hauge responded, in all honesty, the inner agency hasn't spent a lot of hours debating because they have had their hands full, if it is literally in every county of the state, if it is beyond something that we can deal with. If you look west in Wyoming and Colorado in what they call the endemic area, I think they are looking at controlling it

within the endemic area, reducing the deer population to low levels, and sustaining those low levels there. That is a potential picture for Wisconsin. If there are spots of disease, the possibility is still there to go after it. I think all the testimony that was heard today underscores the deep sense of commitment and feeling that people and citizens of the state have toward the deer herd. We are all rocked by the news and we are all saddened by it. I don't think that we are going to give up the ship easily. Colorado testified at Mount Horeb, and I think personal regrets the pace at which Colorado struck up their defense in battling the disease and perhaps they might have been able to contain it to a smaller area and prevented the spread. Even if we do find another spot or two, I think what we are going to be looking at is trying to find ways that we can still battle it and keep it from spreading to every part of the state. But, if it is in every county of the state, it is obviously a whole new ball game. **Chairman Solberg** responded, so part of the secret is, on this whole thing, we have to get our deer numbers down, is that correct? **Mr. Hauge** answered, keeping the deer herds above goal is a risk factor. In the north, that certainly is the case.

Chairman Solberg questioned, what if I shoot a deer in our area and I want to get it tested, will there be the facilities to test that deer? **Mr. Hauge** responded, this fall, as I mentioned in my presentation, our plan is to test certainly in the north a minimum of 500 deer per county. Your area might be one of the five that hunters could actually have their deer tested. But, if you aren't, you are going to be able to process your deer, set it aside if you are concerned about the meat safety issue, and wait for the results of the 500 deer that we are going to test in the county that you are concerned about. **Chairman Solberg** questioned, but I cannot get my deer tested? There are 500 deer tested, I shoot the 501 deer and I want someone to test this deer, I can't get it done? **Secretary Bazzell** responded, this is an issue we are still working on, particularly with USDA. It is unclear right now how many additional tests will be performed beyond this but we are continually working on this.

Chairman Solberg responded, I need to tell you that if you don't have that testing in place, whoever is holding this up the federal government or whoever, we have another problem. It just is not going to happen. People are not going to kill the deer. The wives are not going to let that deer in the freezer, I hear it all over. I am on the street and I see a lot of people shaking their heads. You talk about how many deer are going to be killed but I am really afraid that you are not going to kill that many deer. Maybe there will be as many hunters, I don't know. Maybe they will buy a license and go hunting but I am deathly afraid that we are not going to kill as many deer as you are saying and then we are going to have a worse problem. In northern Wisconsin, I don't care what you say, when those deer start dying in the deer yards and these television cameras start rolling up there and they get in there looking at them, people are not going to be very happy.

Mr. O'Brien commented, just to respond to that. Why are we blaming these folks, the Department. It isn't the Department of Natural Resources fault. I keep hearing that over and over, what the DNR is doing wrong, and why are we blaming them. Why aren't all the hunters getting behind a major effort to try and reduce a problem that we all have. Why are they all saying, I am not going to go hunting, when we are begging them to go hunting and try and keep the deer herd down. I don't understand this. I get so tired of hearing this and everyone pointing at the DNR and what the DNR is doing wrong. The DNR is doing everything they can and they came up with a well justified plan to try and do what they can but the people are saying we can't do it, we don't like it, and no one comes through with a better solution. Why aren't the hunters who are all such great people, getting together and coming on out and getting behind this effort and doing their job?

Chairman Solberg responded, since I have been on the Board, for whatever reason, deer hunters can't agree on anything and that is part of the problem. We have 700,000 deer hunters out there and everyone has a different idea. Dave Ladd, Chairman of the Big Game Committee, in the past several years ago when taking that one vote, he finally through up his hands and said he didn't know what to do anymore. They couldn't get agreement on anything. It is tough. You are right. We shouldn't blame the DNR, it is all of our problem. It is everyone's problem. I agree with you 100 percent. But, if we take some of the tools away to kill some of these deer I am afraid we won't get it done. **Mr. O'Brien** responded that we have to take a chance.

Mr. Behnke responded, we have spent the afternoon listening to a lot of opinions. We started out with science, listening to the interagency team made up of the best experts we were able to put together on the chronic wasting disease problem that we have here in the state. They came up with some conclusions and recommendations, we heard all of those presented to us. They are giving us the best science that they have, the best science that they know

and from there we went through an afternoon of about four and a half to five hours of listening to opinion, with no facts presented of any kind. There was no research done by anyone but we listened to a lot of opinion. As the Chairman stated, we have gone through many years of listening to opinion. Through the years I have said more than once I have said it a number of times. I told the Department I expect your best professional advice that you can give to the Board and you should do nothing less than that. If we don't feel that the public is behind it, then let us make that compromise with the public. I think that we have compromised with the public to the point where we have a very dangerous situation of a highly overpopulated deer herd in the State of Wisconsin mainly because the public would not go along with the Department's goals for killing deer, for bringing deer within management unit goals, feeding capability. We have gone on and we have put thousands of tons of corn into the woods in the northern part of the state and the rest of the state and we have created an even larger herd. At the same time the public is saying we don't have that many deer. We have the wildlife people come in and say this is what we feel needs to be done to manage the deer herd in the State of Wisconsin and we have compromised and we have said no lets listen to the people. I think this is one time when we don't listen to the people. This is one time that we buy the science that is available to us and this is one time that we say that if we need to move ahead, if we make a mistake, it is not an irreparable mistake. Someone is going to be inconvenienced for a year maybe or two in not being able to go out and hunt over bait. If it is found that this is not the problem, I am quite sure that we can revisit this whole subject again at sometime. Right now I believe it is time for us to act very decisively, to act very responsibly, and I think that is our chore here today as citizen members of the Natural Resources Board.

Mr. Behnke MOVED, seconded by Mr. O'Brien the motion of the Adoption of Emergency Order WM-32-02(E) - revision of Chapters NR 10, NR 12, NR 19, and NR 45, Wis. Adm. Code, pertaining to chronic wasting disease control efforts, as presented.

Discussion pursued.

Mr. Tiefenthaler commented, I have been quoted in the paper that I have a plan and I came with a plan. I have listened to the science as we know it. I listened to opinion, I listened for years to deer hunters. I share one concern and that is we have to reduce this deer population and we haven't been able to do it. I have asked for a definition for what is baiting, what is feeding, and have not received it yet. I have put my five Rs together and they are being be reasonable, be responsible, do the right thing, make it reversible, and assess the risks. I am going to weigh in on a definition. Where I am going with this is not to eliminate baiting and feeding as we know it today but to redefine it, redo it, and severely limit it statewide. My definition is broadcasting a limited amount of food over a wide area, about 20 feet by 20 feet, to attract deer for hunting purposes and wildlife viewing. When I say a small amount, I had come today thinking that five gallons over a 40 acre plot and two gallons over 39 acres or less in private and public land. As a responsible compromise, spread out over a wide area where deer would not be brought to congregate. We heard from the science that the time of treating is cumulative. That the deer would be trained and brought in over a long period of time and that was detrimental. I listened carefully to that. Therefore, I would propose that we put a season on it and the season would be during deer season. The reason for it would be to give the hunters a tool to reduce this deer herd. This deer herd is large and it will not be easy to achieve our goals, people are not willing to do it and if we take these tools away, I too am frightened that we are going to scare them out of hunting. We are not going to get them back. We are going to have less license money and our budget is going to be affected greatly. The amount has not been addressed. As we know feeding today, it is unlimited amounts, uncontrolled amounts. We only recently got the statutory authority to control that. What we need to do is define what that can be, for my purposes of definition, that is for those wildlife viewers. I would say that we could go, and this is arbitrary, one to two gallons broadcast out over a large area within 50 feet of an occupied dwelling. That isn't going to sustain an artificial deer herd but it sure is going to give a lot of people the social satisfaction of enjoying the wildlife that is there.

Mr. Tiefenthaler continued, the last was addressed in a study in Michigan. These were multiple piles in a line. That pattern forces deer into a nose to nose situation, forcing them in a line situation. If we recommend that it is broadcast out over a large area to simulate what acorns would drop from an oak tree, this would eliminate this artificial congregation. Two gallons will be finished up in no time. Also, we have a season on it to get the time line aside. That time line would eliminate the cumulative affect and would limit the amount that we are going to allow to be put down and broadcast it. Those points would address what science we heard today and still accommodate hunters on the ground. We have 40 percent of bow hunters using bait and, they are killing deer. 20 percent of the gun hunters are doing it and if we go this year from September 14 to January 3, we have a very limited amount. Those deer won't be coming back to that area if there is no feed on the ground and they will go out in their normal

pattern. That is my proposal. One other issue, the types of food, I would also prohibit feeders that force deer to feed nose to nose where they have to feed together. Eliminate that type of a feeder. Automatic broadcast spinners we have seen promulgated hugely and they run on batteries, they run on solar power, they can be on a timer. I have seen 50-gallon drums with broadcast spinners that operate automatically week to week. If a hunter isn't there, he is not going to be putting out feed. So that weekend hunter isn't going to be cumulatively bringing these deer into the same place. For the people that live there it is a different story. Per 40 acres, two gallons in three sites. That is a total of six gallons per 40 acres for a 24-hour period. Public land would be two gallons for the purposes of hunting for a 24-hour period. That is my recommendation and I offer it as an amendment. **Board Member Tiefenthaler's Baiting and Feeding Amendment Proposal reads as follows:**

North of Highway 64

1. Feeding and Baiting Season – to sustain deer and as a hunting technique
 - A. Season –
 - 1) Open Season-the first day of deer bow season through April 15th of the following year.
 - 2) Close Season-April 16th to the first day of deer bow season.
 - B. Amount –
 - 1) Private Land
 - a) 40 Acres or more – two gallons per 24 hours, per hunting site, no more than three sites per 40 acres
 - b) 39 acres or less – two gallons per 24 hours
 - 2) Public Land
 - a) two gallons per 24 hour period, one site only
 - C. Feeding wildlife (deer) for purposes of wildlife viewing within 50 yards of an occupied dwelling- no more than 2 gallons per 24 hour period – no closed season.

South of Highway 64

1. Feeding and Baiting Season
 - A. Season –
 - 1) Open Season-the first day of bow deer season through January 3rd of the following year.
 - 2) Closed Season-January 4th to the first day of deer bow season.
 - B. Amount –
 - 1) Private Land
 - a) 40 acres or more – two gallons per 24 hours per hunting site, per hunting site, no more than three sites per 40 acres
 - b) 39 acres or less – two gallons per 24 hours, per hunting site, no more than three sites per 40 acres
 - 2) Public Land
 - a) two gallons per 24 hour period, one site per hunter
 - C. Feeding wildlife for wildlife viewing within 50 yards of an occupied dwelling – no more than two gallons per 24-hour period – no closed season.

Types of Food –

1. Biodegradable – including fruits and vegetables, mineral and salt blocks (one block per site to be included in the volumetric limit).
2. Commercial deer food supplements must be certified on the label that they are free from animal parts (bone meal, blood, etc.) that are likely to cause CWD.
3. Liquid attractants such as molasses are acceptable.

Prohibited –

- A. Trough or bunk type feeders that force deer to feed in close proximity to one another.
- B. Automated spinner-type broadcast feeders.

Recommended –

- A. All baiting or feeding – feed is placed on the ground in such a manner that the food is broadcast and spread

out over a large area and not placed in a pile. Recommend that two gallons be spread or cascaded over a minimum 20'X20' or larger area on the ground by hand.

Mr. Tiefenthaler proposed this amendment to the motion. Chairman Solberg seconded the amendment.

Discussion and questions pursued regarding Board Member Tiefenthaler's proposed amendment.

Mr. Willett responded, Board Member Behnke, I agree with you 100 percent. My one concern is that we have created this. It isn't our fault, we tried, we sat here and listened to our good friends beg to have their zones taken out of T-Zones and begged to have their numbers readjusted. We tried to accommodate and to that extend we are all culpable. The matter of fact is, we do have an artificially large deer population. My concern is that unless we have a program to reduce that before we cut off their food supply we are going to have starvation. In my backyard I have too many deer and I love it, because my neighbors feed them, they all come and they are great to view. The question that I have is, what is going to happen to them if we cut out the feeding of them without a program to harvest them?

Mr. Hauge responded, unfortunately Mr. Willett you were not here during the earlier presentation and we addressed it then. The good news, even though we didn't end up with the December four days in which we started with in the revised Deer 2000 season formula, we still do have the actual four days. A good share of the northern forest is in the zone T season so we have the stage set to knock that population back to reduce the opportunity for severe massive starvation. **Mr. Willett** asked, what are your potential chances of doing that? **Mr. Hauge** answered, we also attempted to address that in the presentation, it is in your notes. Our estimate is that the removal of the bait could potentially result in a five percent drop in the antlerless harvest. We calculated that based on the northern forest. That type of loss is the kind of change that is compensated for with doing things like T-zone seasons. That five percent loss, assumed also that none of those harvested deer were going to be taken during the gun deer season, which is not necessarily a reasonable assumption. I think some of those deer will get killed during the gun season. Our conclusion was that the loss of baiting will not jeopardize our ability to control the deer herd. As far as feeding goes, if we can take them down to the zone T season, removing the feeding.

Ms. Stepp commented, I want to speak to the issue on what Board Member Behnke spoke. How we can't listen to the public on this and I know that he didn't mean it in that way. That is we have listened to the public and it is my perception has been, the calls and letters that I have received, are literally 50-50, whether in support of this proposal or against it, it is literally split. That is what makes it even tougher and starts to swing me more to the side of really having to look at the science. Some of the testimony we heard early today where people were saying that the Department is reacting with emotion, I disagree with that very strongly. Because, in fact, it is just the opposite. It is the difficulty and the challenge that we face in removing the emotion from this whole plan that presents such a challenge to us. The difficulty that we have as a citizen Board is to understand that we have to hear the public, which we do, we listen, and then obviously make a tough decision. I have a few questions before I am ready to vote on this. I want to talk about the arbitrary date of June 1 for the bear hunters. I am uncomfortable with that. I would like to get weekly updates on the eradication zone and the surrounding areas so that when the public calls us that we have updated information weekly on what the progress is. And if we are meeting the goals that we set in a timely manner. I don't feel that we are being aggressive enough.

Discussion pursued regarding highway boundaries, cooper supplements, carcass movement, disposal of carcass materials, incineration and fly ash.

Secretary Bazzell stated that when we first started this protocol we first started having a continuous season. We changed that based on landowner's concerns. We only harvest for one week each month. We are sharing, with the Board, results of that. We only have information once a month in terms of harvest. **Ms. Stepp** responded, that is because, you said landowner concerns, they don't want people out there hunting all the time. **Secretary Bazzell** stated they want to have some period of time, it is summer and the kids are out, that they could be assured that hunters were not out in the woods.

Mr. O'Brien, I just have a comment. The reason that I will vote against the amendment and for the motion is as Board Member Stepp has stated. I think it was very important that we find out what our status and what our

situation is. It was very important to me that we are going to test 30,000 deer throughout the state, 500 from every county so that we have some kind of a handle on it, whether it be by next March or April, so that we can make an intelligent decision. If we don't have it anywhere else in the state, where we might have it so we can work on it. That was really important to me. In the meantime, I will agree with the experts, the science. We have heard from

the pros, we have heard from the people in Colorado, we have heard from Michigan and Minnesota, and I just have to rely on the science and these folks until we get some solid information on what our status here in Wisconsin is.

Mr. Behnke stated, I would like to clarify one point. I think that I left the impression that I do not value public input. I would like to state that I do. I value it greatly. What I was alluding to, and my point being, that we are dealing with a disease situation here. We are not dealing with a biology versus sociology situation. We are dealing with a chronic condition that we have to determine whether we are going to control it the best way that we know how or whether we are going to compromise in one way or another. We have, through the years listened to the public, we have compromised many things, and when it comes to a matter of whether we should have a nine-day deer season or a sixteen-day deer season those are two different things. That is different than what we are talking about here today. Today we are dealing with a disease issue. We are dealing with something that could be a very critical thing with the states deer herd and that is my distinction between of listening to the experts and then listening to opinion.

Mr. Poulson commented, I agree with some my colleagues and what they said here. I think we need to take the step to try and control this disease the best we can. On that basis I am going to vote against the amendment.

Chairman Solberg commented, I am going to vote for the amendment because I feel that by taking away the tools we will be unable to get the deer herd down, and we will have a real problem.

Mr. Willett asked what the reason for the change of date regarding the bear issue. **Chairman Solberg** responded, it was never in the proposal. It wasn't discussed with the Bear Hunters Association and they like to come out and start when the bear come out of hibernation. It was felt that the deer were going to get into the bear baits and that would be a problem. **Mr. Behnke**, responded, Mr. Chairman, if the restrictions were to apply that bear baiting where it has to be in such a manner where deer cannot get at it, what difference does it make whether it is May or June? If the appropriate precautions are followed, the deer wouldn't get at it. **Secretary Bazzell** answered, just in fairness, you have heard from the public on this issue. You need to give staff an opportunity to indicate why this proposal was presented the way it was.

Mr. Mytton stated that when chronic wasting disease was found in the state I wrote a letter to the Bear Hunters Association and the entire Board of the Conservation Congress outlining my concerns on bear baiting in general. Two things that I recommended to them. One is contain your baits within a hallow log, which is a typical baiting practice for hound hunting. The other was get ride of whole hunt process grains. We were able to get a consensus of agreement on the first recommendation but not on the second. I saw it problematic that the grain issue was not handled and that is where we ended up, we disagreed on this. I would have a problem of pushing it to May 15 because I know people do start baiting around Memorial Day but you would have to address the issue. You talk about bird feeding and small mammal feeding and deer feeding. To leave the dates unending on bear baiting is problematic and you have a lot of baiters that utilize grain out there. That is why the June 1 date was used. A month ahead of the training season. In fairness to the whole issue, that is why this came up. If you have a date that is unending then you are going to have logs full of bait year round.

When put to a vote, the amendment was defeated by a vote of 3 to 4.

Mr. Tiefenthaler proposed an amendment to remove the June 1 date for bear baiting season. Ms. Stepp seconded the amendment.

Discussion and questions pursued regarding the reason for the date change.

Mr. Tiefenthaler proposed a change to his amendment from no date to April 15 for starting bear baiting. Ms. Stepp seconded the amendment. The motion carried unanimously by those present.

The motion was carried by a vote of six to one by those members present, as amended.

Yes

Herbert Behnke
Chairman Solberg
Gerald O'Brien
Howard Poulson
Catherine Stepp
James Tiefenthaler

Opposed

Stephen Willett

Wednesday, June 26, 2002

3.B. Citizen Participation.

This item was presented during the Committee of the Whole meeting.

3.C. Presentation of the John C. Brogan Environmental Awards by Secretary Bazzell.

This item was presented during the Committee of the Whole meeting.

3.D. Presentation of Hospitals for a Healthy Environment awards for the Department of Natural Resources to Secretary Bazzell and three Wisconsin hospitals, St. Mary's of Milwaukee, Mercy Health System of Janesville, and Riverview Hospital Association of Wisconsin Rapids, by Donna Twickler, Regional V Hospitals for a Healthy Environment Coordinator.

This item was presented during the Committee of the Whole meeting.

3.E. INFORMATIONAL ITEM - Updated Guidelines for Wolf Depredation Control.

No action was taken on this Informational Item.

3.F. INFORMATIONAL ITEM - Update on Ozone Standard Redesignation Request.

No action was taken on this Informational Item.

3.G. Retirement resolutions.

- 1) Dianne Beaufeaux.
- 2) Jane Everson.
- 3) John Hasse.
- 4) Kenneth Hujanen.
- 5) Cynthia Fauerbach.
- 6) Roy Kalmerton.

This item was presented during the Committee of the Whole meeting.

Mr. Willett MOVED, seconded by Mr. Tiefenthaler, approval of the retirement resolutions, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

4. Board Members' Matters.

This item was presented during the Committee of the Whole meeting.

5. Special Committees' Reports.

There were no Special Committees' Reports this month.

Chairman Solberg reconvened the Full Board requesting a motion to go into Executive Session during lunch. Mr. O'Brien MOVED that the Board convene into Executive Session following the lunch break under the authority of s.19.85(1)(g), Wisconsin Statutes, for the purpose of discussing potential land acquisitions. Mr. Willett seconded the motion. The motion was carried by a roll call vote by those members present. (Mr. Poulson was absent.)

Chairman Solberg reported that during the Executive Session Board Members determined that the Department should continue negotiations with Badger Army Ammunition Plant.

6. Operating Committees.

6.A. Air, Waste and Water/Enforcement Committee.

6.A.1. Minutes.

There were no Committee minutes for May 2002 since all agenda items were taken up during the Full Board Meeting.

6.A.2. Adoption of Order WT-12-02 - revision of Chapters NR 106 and NR 211, and creation of Chapter NR 219, Wis. Adm. Code, pertaining to strategy for regulating mercury in wastewater discharges.

The Committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp the motion of the Adoption of Order WT-12-02 - revision of Chapters NR 106 and NR 211, and creation of Chapter NR 219, Wis. Adm. Code, pertaining to strategy for regulating mercury in wastewater discharges, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.A.3. Adoption of Order AM-3-02 - revision of Chapter NR 484 and creation of Chapter NR 437, Wis. Adm. Code, pertaining to establishing and operating a voluntary emission reduction registry.

The Committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp the motion of the Adoption of Order AM-3-02 - revision of Chapters NR 484 and creation of Chapter NR 437, Wis. Adm. Code, pertaining to establishing and operating a voluntary emission reduction registry, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.A.4. Authorization for hearing on revision of Chapter NR 445 and Chapter 438, Wis. Adm. Code, pertaining to control of hazardous air pollutants, and air contaminant emission inventory report requirements and related rules.

The Committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp that the Board authorize public hearing. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.A.5. Authorization for hearing on revision of Chapter NR 140, Wis. Adm. Code, pertaining to groundwater quality.

The Committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp that the Board authorize public hearing. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

- 6.A.6. Authorization for hearing on revision of Chapter NR 50.13, Wis. Adm. Code, pertaining to municipal water safety patrol program.

The Committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp that the Board authorize public hearing. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

- 6.A.7. Authorization for hearing on revision of Chapters NR 64.15 and NR 50.12, Wis. Adm. Code, pertaining to addressing changes to the sheriff patrol reimbursement requirements.

The Committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp that the Board authorize public hearing. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

- B. Land, Management Recreation and Fisheries/Wildlife Committee.
6.B.1. Minutes.

There were no Committee minutes for May 2002 since all agenda items were taken up during the Full Board Meeting.

- 6.B.2. Approval of the naming of a state natural area in Oneida County.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. Tiefenthaler, approval to naming of a state natural area in Oneida County. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

- 6.B.3. Adoption of Emergency Order FH-15-02(E) and authorization for hearing Order FH-10-02 - revision of Chapter NR 25, Wis. Adm. Code, pertaining to commercial fishing outlying waters.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. O'Brien the motion of the Adoption of Emergency Order FH-15-02(E) and authorization for hearing Order FH-10-02 - revision of Chapters NR 25, Wis. Adm. Code, pertaining to commercial fishing outlying waters, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

- 6.B.4. Adoption of Order FR-21-02 - revision of Chapter NR 46, Wis. Adm. Code, pertaining to stumpage value adjustments and administration of Forest Crop and Managed Forest Laws.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. O'Brien the motion of the Adoption of Order FR-21-02 - revision of Chapters NR 46, Wis. Adm. Code, pertaining to stumpage value adjustments and administration of Forest Crop and Managed Forest Laws, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

- 6.B.5. Authorization for hearing on revision of Chapter NR 10, Wis. Adm. Code, pertaining to limited small game and expanded spring turkey hunting in state parks.

Mr. Tiefenthaler proposed an amendment to include rabbit hunting with hounds. Chairman Solberg seconded the amendment. The motion carried unanimously by those present. (Mr. Poulson was absent.)

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. Tiefenthaler that the Board authorize public hearing, as amended. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

- 6.B.6. Rush Creek Natural Area land acquisition - Crawford County.

The Committee recommended and Mr. Behnke MOVED that the Board approve the purchase of 177 acres of land from Reuben Knutson for \$230,100 for the Rush Creek Natural Area and the expansion of the project boundary to include the parcel in Crawford County. Mr. O'Brien seconded the motion. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.B.7. White River Fishery land acquisition - Waushara County.

The Committee recommended and Mr. Behnke MOVED that the Board approve the purchase of 130.16 acres of land from Edward and Martha Wegenke for \$218,900 for the White River Fishery Area and expand the project boundary to include an additional 50.45 acres in Waushara County. Mr. Tiefenthaler seconded the motion. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.B.8. Little Wolf River Fishery land acquisition - Portage County.

The Committee recommended and Mr. Behnke MOVED that the Board approve the purchase of 158 acres of land from Michael Gliniecke for \$229,000 for the Little Wolf River Fishery Area in Portage County. Mr. O'Brien seconded the motion. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.B.9. Lower Wisconsin Scenic Riverway land acquisition - Crawford County.

The Committee recommended and Mr. Behnke MOVED that the Board approve the purchase of 298.22 acres of land from the Morrison Trust for \$600,000 for the Lower Wisconsin State Riverway in Crawford County. Mr. Tiefenthaler seconded the motion. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.B.10. Lower Chippewa land donation - Dunn County.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. O'Brien that the Board approve the land donation of 244.15 acres for the Lower Chippewa River State Natural Area and Dunnville Wildlife Area in Dunn County from Xcel Energy. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.B.11. Scattered Wildlife Area land exchange - Vilas, Oneida, and Forest Counties.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. Tiefenthaler, that the Board approve of the land exchange of 1,813.63 acres in Forest County from the Board of Commissioners of Public Lands in exchange, the Department will convey 2,133.68 acres of deed restricted land in Vilas and Oneida Counties to the Board of Commissioners of Public Lands, along with 50 acres unrestricted, subsequent sale to the US Forest Service for \$997,000, and the timber management rights on 760 acres next to the Woodboro Lakes Wildlife Area. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.B.12. Ice Age Trail land exchange - Dane County.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. O'Brien, that the Board approve of the land exchange of 70 acres of deed restricted state land for 40.7 acres of privately owned land in Dane County for the Ice Age Trail from Ronald Laufenberg. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

6.B.13. Authorization for hearing on creation of Chapter NR 328, Subchapter I, Wis. Adm. Code, pertaining to standards for shore erosion control in lakes and impoundments.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. Tiefenthaler that the Board authorize public hearing. The motion was carried unanimously by those members present. (Mr. Poulson was absent.)

7. Department Secretary's Matters

7.A. Memorial Resolution for Stanley (Tom) Palmer.

This item was deferred to the August Natural Resources Board Meeting.

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The Board Meeting adjourned at 1:50 p.m.